

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

**R.A.Jr., (a minor child, by and through his)
Father and next best friend, Richard Lemmel)
Arnold,)
Plaintiff,)
v.)
DEPUTY SHERIFF WALTER LACEY,)
in his official and individual capacity)
Defendant.)**

Case No.: 3:06-CV-337-WHA

PLAINTIFFS' JURY INSTRUCTION NUMBER 5

**PM CIV-FJPI § 7-2.9
§ 7-2.9. Causation, one cause**

An injury or damage is proximately caused by an act, or a failure to act, whenever it appears from the evidence in the case that the act or omission played a substantial part in bringing about or actually causing the injury or damage; and that the injury or damage was either a direct result or a reasonably probable consequence of the act or omission.

GIVEN _____

REFUSED _____